

October 4, 2004

U.S. Department of Transportation
Dockets Management Facility
Room PL-401
400 Seventh Street, SW
Washington, DC 20590

Subject: FHWA-2003-15149

National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Maintaining Traffic Sign Retroreflectivity

To whom it may concern:

I would like to commend the FHWA for taking steps to provide better signing for drivers during nighttime hours. I believe you will contribute to the decrease in fatalities and injuries that continue to occur at alarming rates on our streets and highways.

I am very concerned about the lack of maintenance that exists today on many of our traffic signs. This is a nationwide problem. Additionally, although a great deal is known about their specialized needs, it seems that there is not enough being done for the older driver who is capable of driving at night. With this in mind, I would like to offer the following comment on the FHWA's Notice of Proposed Amendments (NPA) to the Manual on Uniform Traffic Control Devices for Streets and Highways.

1. In section 2A.22, the existing language in the MUTCD states that signs should be maintained, and damaged or deteriorated signs should be replaced. Now that the FHWA has established retroreflectivity levels that satisfy the needs of drivers, I believe it is time to replace the "should" condition with a "shall" condition. This is because the existing maintenance of traffic signs section (2A.22) continually uses the wording "should" throughout the section. If the proposed minor modifications to this section retain the "should" condition, then what assurances are there that traffic signs will be replaced when they are no longer visible? I urge you to make this a mandatory "shall" requirement in the hopes that we can save a few more lives.
2. You have proposed a phase-in compliance period of seven years for ground mounted signs and ten years for overhead signs. As a taxpayer, I appreciate the issue of economic and budgetary impacts on state and local governments. However, the costs to society exceed the estimated costs to government agencies to comply with this new standard. Consider:
 - 42,000 people lost their lives on our nation's highways last year,
 - Agencies that adopt better sign maintenance programs including brighter sheeting materials can demonstrate reductions in crashes, especially nighttime crashes,
 - Even if this rulemaking saves only 1%, 420 more families will be spared emotional and financial loss,
 - The National Highway Transportation Safety Administration's (NHTSA) lifetime economic cost to society for each traffic fatality of \$977,000.00,
 - Applying this cost to 420 lives saved, and you lessen the impact to society by \$410,340,000.00 per year.

Your own estimates of \$32 and \$144 million for a one-time replacement costs to state and local agencies pale in comparison to the potential savings to society of \$410 million per year. A seven-

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year compliance period says the FHWA is content with the senseless deaths of nearly 3,000 people. Does this make sense to an agency whose goals include "to improve highway safety by reducing the number of traffic fatalities and injuries including large trucks"? I implore you to demonstrate your commitment to safety by speeding up the compliance period to no longer than five years. Sign improvements have long been recognized as one of the most cost-effective safety improvements. Please help reinforce this safety priority by expediting compliance.

3. The Minimum Maintained Retroreflectivity Levels table fails to include two types of sheeting in widespread use throughout the country that deliver nighttime performance exceeding the minimum values shown.
 - I suggest that ASTM type IV sheeting, used not only by many local government agencies, but also state transportation agencies including California and Arizona, be added to the table.
 - Type VI sheeting, used by many agencies as a roll-up signs for temporary use, should also be added to the table.

While any agency may conclude by the performance of both these sheetings that they comply with the standards, I fear that these same agencies might also erroneously conclude that by not seeing them included in the table, their use is not permissible. This might needlessly force them into more costly substitutions of other products.

Thank you for allowing me to comment on this important regulation.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott N. Chapman", with a large, stylized loop at the end.

Scott N. Chapman